

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

KEVIN KEITH,

Petitioner,

v.

LYNEAL WAINWRIGHT, Warden,

Respondent.

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CASE NO. 1:18-cv-634

Judge Solomon Oliver, Jr.

**WARDEN'S OPPOSITION TO KEITH'S MOTION
FOR ORAL ARGUMENT (ECF. No. 65)**

Keith filed his fourth-in-time habeas petition directly with this Court. (ECF. No. 1). Following transfer to the Sixth Circuit Court of Appeals granted Keith permission to proceed on his successive petition. (ECF. No. 16). The Warden filed his Return of Writ (ECF. No. 26), Keith filed a Traverse (ECF. No. 28), and the Warden filed a Sur-Reply (ECF. No. 31). The Magistrate Judge carefully reviewed the pleadings and record, recommended Keith's successive petition be denied. (ECF. No. 56). Keith timely objected (ECF. No. 58), and the Warden responded (ECF. No. 60). Keith now seeks an oral argument, presumably to orally explain his written objections to the magistrate judge's report and recommendation. (ECF. No. 65).

The Warden opposes Keith's request because the issues have been fully briefed. In addition to the parties' briefing, the Court has the benefit of having the detailed and succinct Magistrate Judge's report and recommendation. Thus, the Warden does not believe oral argument will benefit the Court.

For these reasons, the Warden respectfully opposes Keith's request to hold oral arguments on his successive habeas petition.

Respectfully submitted,

DAVE YOST
Ohio Attorney General

/s/ *Brenda S. Leikala*

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CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2021, a copy of the forgoing document was filed electronically. Notice of this filing has been sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ *Brenda S. Leikala*

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